

AMENDED

City Hall
80 Broad Street
February 14, 2017
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Seekings

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation honoring Whitney Loomis, Little Miss Charleston *(To be placed on Councilmembers' desks)*
2. Keep Charleston Beautiful Awards

E. Public Hearings

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. January 24, 2017

H. Citizens Participation Period

I. Petitions and Communications:

1. Boards and Commissions Appointments and Reappointments: *(To be sent under separate cover)*
 - i. Commission on Disability Issues
 - ii. Health and Wellness Committee
 - iii. Homeownership Initiative Commission
2. Resolution on Charleston County Mark Clark Expressway Extension/I-526 Project
3. *Presentation by Marina Khoury, DPZ, on proposed BAR Ordinance and Height District amendments*

J. Council Committee Reports:

1. Committee on Community Development: (Meeting was held on Thursday, January 26, 2017 at 4:30 p.m.)

(Financing Affordable Housing with Bonds (INFORMATION ONLY)

(Mixed Use Workforce Housing II – Amendment (INFORMATION ONLY)

2. Committee on Traffic and Transportation: (Meeting was held on Tuesday, February 14, 2017 at 3:30 p.m.)

(City-wide Transportation Plan Scope of Work (INFORMATION ONLY).

3. Committee on Public Works and Utilities: (Meeting was held on Tuesday, February 14, 2017 at 3:00 p.m.)

a.) Request Public Hearing for the Proposed Closing and Abandonment of a portion of Hayne Street.

b.) Acceptance and Dedication of Rights-of-Way and Easements:

(i) Bolton's Landing Phase 5A and 5B - Acceptance and dedication of Aquabelle Lane (55-foot right-of-way), Roustabout Way (variable width right-of-way), and Seabago Drive (55-foot right-of-way). Sidewalk is bonded.

- Title to Real Estate
- Affidavit for Taxable or Exempt Transfers
- Plat (3)
- Exclusive Storm Water Drainage Easements

(ii) The Landing at Grand Oaks Phase 2 - Acceptance and dedication of Brambling Lane (50-foot right-of-way), a portion of Grouse Park (50-foot right-of-way), and a portion of Redwing Trail (50-foot right-of-way). Sidewalk is bonded.

- Title to Real Estate
- Affidavit for Taxable or Exempt Transfers
- Plat

(iii) Acceptance and dedication of a new exclusive 10-foot storm water drainage easement for Beresford Hall Commerce Park as noted on a plat entitled "Final Subdivision Plat for Beresford Hall Commerce Park, City of Charleston, Berkeley County, South Carolina" (TMS 271-04-03-012) to allow access for maintenance of the storm drainage piping.

- Exclusive Storm Water Drainage Easements
- Plat

c.) Close and Abandon a Portion of Fairchild Street – Close and abandon a portion of Fairchild Street, Daniel Island, County of Berkeley designated as "RCP 1,

4,899 sq. ft., 0.112 acres conveyed to Parcel 1" on the plat entitled "A Final Subdivision and Property Line Adjustment Plat of TMS 275-00-00-260 – Daniel Island, Fairchild Street, owned by DIEC II, LLC, Located in the City of Charleston, Berkeley County, South Carolina".

4. Committee on Ways and Means:

(Bids and Purchases)

(Parks: Approval to submit the 2017 Cigarette Litter Prevention Program Grant through Keep America Beautiful in the amount of \$5,000. Program funds will go towards cigarette litter education efforts and receptacle installation at Charleston marinas. The grant application submission is due on February 15, 2017. No City match is required for this grant.

(Office of Cultural Affairs: Approval to submit a grant application to the SC Arts Commission for General Operating Support. Funds will be awarded based on the availability of funding from the State. The match is 3:1 and is over a period of three years. The matching funds will be provided by private donations and earned revenues.

(Mayor's Office for Children Youth & Families: Approval of a grant award from the Cooper River Bridge Run Fund in the amount of \$500 for the Youth Volunteer Corps to plan and hold a Teen Health Summit. No cash match is required.

(Parks-Capital Projects: Approval of a grant application for the Governors Park Underdrain Expansion from 2017 Park and Recreation Development (PARD) funding. This funding would be used to expand the existing underdrain system at the perimeter of the Great Lawn area and improve the overall function and use of the fields. This grant provides a maximum of 80% of the cost of a project, with the remaining 20% minimum to be provided as matching funds. The grant funding requested is \$20,000, and the proposed match would be up to \$5,000. Total project funding is estimated to be \$67,600. Funding will be available by June, 2017. Berkeley County did not solicit an application from the City of Charleston, but has agreed to accept an application at this time. In order to have this application considered at the next Legislative Delegation meeting, it has been submitted and will be an after-the-fact request at Council. There is no fiscal impact for this action. An approval of the grant application will only allow the Parks Department to submit the document to SCPRT. However, the fiscal impact will occur if the grant application is approved for award. A funding source will be determined at the time of the grant award.

(Parks-Capital Projects: Approval of a grant application for 2017 Park and Recreation Development (PARD) funding. This funding would be used to construct a new playground at Lenevar Park, with the existing equipment removed upon completion. Scope of work includes site preparation, purchase and installation of new playground equipment, purchase and installation of safety surfacing, and related site improvements. This grant provides 80% of the cost of a project, with the remaining 20% to be provided as matching funds. The grant funding available is \$55,055.31 (per capita distribution administered by Charleston County Park & Recreation Commission), requiring a \$13,763.83 match (source TBD). Total project funding is \$68,819.14. Funding will be available by June, 2017. The grant announcement was later than usual due to a delay related to the determination of

total available funding, and was not mailed out until 12/22/2016. Applications were due to CC PRC by 1/12/17 in order to meet the Legislative Delegation agenda deadline. This is an after-the-fact request. There is no fiscal impact for this action. An approval of the grant application will only allow the Parks Department to submit the document to SCPRT. However, the fiscal impact will occur if the grant application is approved for award. A funding source will be determined at the time of the grant award.

- (Traffic and Transportation: Approval of a Maintenance Agreement and Contract between the South Carolina Department of Transportation, Charleston County, and the City of Charleston for the Maybank Highway Widening Project. The City agrees to be responsible for routine maintenance of nonstandard improvements to the Project's sidewalks and traffic signals, and for care and monitoring of historic trees in the Project's corridor.
- (Police Department: Approve an Amendment to renew an Agreement wherein Charleston Dorchester Mental Health Center ("CDMHC") and Charleston Police Department ("CPD") will assign a full time mental health professional to CPD to provide mental health services to children and families who have been effected by or witnessed domestic violence. The City will pay \$20,000 annually and provide office space at 180 Lockwood Blvd. and a vehicle for the CDMHC counselor. This is the first renewal of a potential four renewals provided in the original agreement. The original agreement provided for \$10,000 annually. This amendment increases the annual amount to \$20,000.
- (Police Department: Approval of an Amendment to the Agreement between Bayside Apartments, L.P. D/B/A Bridgeview Village Apartments and CPD which provides Bayside Apartments, L.P. compensate the City for CPD providing patrol services and a liaison officer.
- (Police Department: Approval of a Mutual Aid Agreement with the City of North Charleston Police Department. The mutual aid agreement statute was amended in June, 2016. New agreements have been drafted to ensure compliance with the amended statute. The new agreements are replacing the old agreements.
- (Police Department: Approval of an Amendment to the Agreement between Charleston Housing Authority and CPD which provides the Charleston Housing Authority compensate the City for CPD providing Police services to CHA properties.
- (Request approval of the Second Lease Addendum to extend the term of the lease to February 28, 2022, for the City's parking facilities operations center. The monthly rental rate will be \$1,343.92. This property is owned by the City of Charleston. [TMS: Portion of 460-16-04-008; 401 C King Street, a portion of the Retail/Office area within the Francis Marion Garage leased to Member, Inc. (Master Lease)]
- (Request approval of the Quit Claim Deed to confirm that the rear or eastern boundary line of the 83 Mary Street property is as shown on the 2014 Forsberg 83 Mary Plat and that the City wishes to quit claim all of its rights, title and interest in the property. This property is owned by 83 Mary, LLC (TMS: 460-12-02-024; 83 Mary Street) [Ordinance]
- (Request approval for the Second Amendment to Lease exercising the City's one year option period with Charles River Laboratories, Inc. for the police forensics unit commencing April 1, 2017 until March 31, 2018. The property is owned by Charles River Laboratories, Inc. (TMS: 351-15-00-007; 1023 Wappoo Road)

(Request approval of the Memorandum of Understanding to exercise the City's one year option period with The Medical University Hospital Authority for the police crime lab commencing June 1, 2017 and ending May 31, 2018. The property is owned by Medical University Hospital Authority. (TMS: 460-15-01-043; 171 Ashley Avenue)

Give first reading to the following bill coming from Ways and Means:

An ordinance authorizing the Mayor to execute on behalf of the City a Quitclaim Deed to 83 Mary, LLC, a South Carolina Limited Liability Company, quitclaiming any interest of the City in that certain piece, parcel or lot of land shown and designated as "TMS 460-12-02-024, 83 Mary, LLC 0.059 acres 83 Mary Dstreet" on that certain plat entitled "Boundary Durvey TMD 460-12-02-024 83 Mary Street City of Charleston, Charleston County, S.C." prepared by Forsberg Engineering and Surveying, Inc. date November 21, 2014, revised November 22, 2014 and recorded on December 3, 2014 in plat book l14, at page 0501 in the Charleston County RMC office.

K. Bills up for Second Reading:

- 1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 89 Warren Street (Radcliffeborough - Peninsula) (0.17 acre) (TMS #460-16-01-099) (Council District 8), be rezoned so as to include it in the School Overlay Zone (S) classification. The property is owned by 89 Warren LLC.*
- 2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 771 Longbranch Drive (West Ashley) (0.33 acre) (TMS #310-01-00-115) (Council District 2), annexed into the City of Charleston December 6, 2016 (#2016-160), be zoned Single-Family Residential (SR-1) classification. The property is owned by Keith Gordon and Janet Wagner-Gordon.*
- 3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 204 Tall Oak Avenue (West Ashley) (0.22 acre) (TMS #418-13-00-066) (Council District 9), annexed into the City of Charleston December 20, 2016 (#2016-167), be zoned Single-Family Residential (SR-2) classification. The property is owned by Trevor Owen Spencer.*
- 4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1501, 1503, 1505, 1507, 1509, 1510, 1512, 1513 and 1514 Morgan Campbell Court and a vacant parcel on Ashley Hall Road (West Ashley) (approximately 1.418 acres) (TMS #351-12-00-116, 213, 214, 215, 216, 217, 218, 219, 220 and 221) (Council District 9), annexed into the City of Charleston December 20, 2016 (#2016-168 through 2016-177), be zoned Diverse Residential (DR-1F) classification. The property is owned by Matthew and Brittany Cauller et al.*

5. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2319 Savannah Highway (West Ashley) (1.06 acres) (TMS #310-06-00-114) (Council District 7), annexed into the City of Charleston December 6, 2016 (#2016-159), be zoned General Business (GB) classification. The property is owned by Hag Re CDT LLC.*
6. *An ordinance to provide for the annexation of property known as 2947 Maybank Hwy (2.97 acres) (TMS# 313-00-00-088), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Oak Family Properties LLC.*
7. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2947 Maybank Highway (Johns Island) (2.97 acres) (TMS #313-00-00-088) (Council District 5), be zoned Residential Office (RO) classification. The property is owned by Oak Family Properties LLC.*
8. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-208.1 Bed and Breakfasts not located within the Old and Historic District, to clarify where Bed and Breakfasts are permitted in areas outside the Old and Historic District. (DEFERRED FOR PUBLIC HEARING)*
9. *An ordinance to amend the Old and Historic District and Old City District Regulations of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend the definition of structure, to provide definitions for height, scale, mass and immediate surroundings, immediate surrounding area and neighborhood, to clarify the authority of the Board of Architectural Review as it pertains to its review of height, scale and mass of new construction to achieve compatibility and proper form and proportion between new structures and those in its immediate surroundings, and to codify certain policy statements for the use in evaluation applications. (DEFERRED FOR PUBLIC HEARING)*
10. *An ordinance to provide for the annexation of property known as 1648 Folly Road and 1614 Grimball Road Extension (1.86 acre) (TMS# 427-00-00-022; and 427-00-00-021), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 6. (DEFERRED)*
11. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1648 Folly Road and 1614 Grimball Road Extension (James Island) (1.86 acres) (TMS #427-00-00-022 and 427-00-00-021) (Council District 6), be zoned Limited Business (LB) classification. (DEFERRED FOR PUBLIC HEARING)*
12. *An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) pertaining to Article 2, Part 15 – Mixed Use 1 - Workforce Housing*

District and Mixed Use 2 - Workforce Housing District. (DEFERRED FOR PUBLIC HEARING)

13. *An ordinance to provide for the annexation of property known as property located on Ashley Hall Plantation Road (44.59 acres) (TMS# 353-00-00-003 and 353-00-00-004), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by the Estate of Rosina Kennerty Siegnious. (DEFERRED)*
14. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Ashley Hall Plantation Road (West Ashley) (approximately 44.59 acres) (TMS #353-00-00-003 and 353-00-00-004) (Council District 2), be zoned to Single-Family Residential (SR-1) classification and Landmark Overlay Zone (LMK) on a portion of the property. The property is owned by the Estate of Rosina Kennerty Siegnious. (**SECOND READING**) (DEFERRED)*

L. Bills up for First Reading

1. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to prohibit mini-warehouse/self-storage uses in the Urban Commercial (UC) Zone District and change mini-warehouse/self-storage uses from a conditional use to a special exception use in the General Business (GB) Zone District.
2. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by repealing part thereof (Old and Historic District and Old City District Regulations) and substituting in its place and stead a new Part 6 establishing regulations for the Old and Historic District and the Old City District.
3. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) pertaining to Sec. 54-306, Old City Height Districts.
4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; prohibit the displacement of housing by accommodations and consider the effects of housing units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the housing units should be attached to an accommodations special exception approval; prohibit the displacement or reduction of office space by accommodations to be located within areas on the Peninsula designated "A-1" on the Accommodations Overlay Zoning Map and on streets with office use as a predominant use; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on streets with ground floor, store front retail as a dominant use; prohibit an overconcentration of accommodations units within areas on the Peninsula designated "A-1" on the Accommodations Overlay Zoning Map; amend revised Subsection B. 1. (g) by deleting wording

regarding pedestrian activity and transit system usage and inserting language regarding the location and design of guest drop off and pick up areas; and amend revised Subsection B. 1. (h) 15 to require additional information on parking and public transit provisions for employees **(AS AMENDED)** *(DEFERRED)*

5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located off North Westchester Road (West Ashley) (2.225 acres) (TMS #309-15-00-070) (Council District 7), be rezoned from Light Industrial (LI) classification to General Business (GB) classification. *(DEFERRED)*.
6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 61 Cannon Street (Cannonborough-Elliottborough - Peninsula) (0.38 acre) (TMS #460-12-01-008) (Council District 4), be rezoned from Limited Business (LB) classification to Mixed-Use Workforce Housing (MU-1/WH) classification. ***(Planning Commission recommends disapproval; requires ¾ vote of Council.) (TO BE WITHDRAWN)***
7. An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 21, Section 115 to provide regulations for the operation of unmanned aerial vehicles. *(TO BE WITHDRAWN)*

M. Miscellaneous Business:

1. Executive Session – Legal Briefing on Dereef Park
2. The next regular meeting of City Council will be February 28, 2017 at 5:00 p.m. at City Hall, 80 Broad Street.



RESOLUTION

ON CHARLESTON COUNTY MARK CLARK EXPRESSWAY EXTENSION/I-526 PROJECT

RECITALS

WHEREAS, Charleston County, South Carolina ("County") is a party to the Intergovernmental Agreement for the Charleston County Mark Clark Expressway Extension/I-526 Project ("IGA") with the South Carolina Department of Transportation and the South Carolina Transportation Infrastructure Bank ("Bank") regarding construction of the Mark Clark Expressway Extension/I-526 Project ("Project"); and

WHEREAS, the IGA provides in Article V, Section 5.5 that the County shall be responsible for obtaining or providing additional funding for the Project if the available funds are not sufficient to complete the Project within the scope of the Project, reducing the scope of the Project to conform to available funding, or some combination thereof; and

WHEREAS, the Board of Directors of the Bank passed a Resolution on the Charleston County Mark Clark Extension Project on December 15, 2015 ("Resolution"), reserving the balance of the \$420 million in financial assistance for the Project subject to several conditions; and

WHEREAS, at its meeting held on December 14, 2016, the Board of Directors of the Bank requested that the County update it with respect to funding the costs of the Project that exceed \$420 million; and

WHEREAS, at a meeting held on February 2, 2017, the County gave first reading to an Ordinance approving up to \$150 million for the completion of the Project and committing to seek up to \$195 million in assistance from the Charleston Area Transportation Study ("CHATS") guide share funds; and

WHEREAS, the City of Charleston ("City") is the jurisdiction in which the vast majority of the additional and final portion of the Project is located; and;

WHEREAS, the City has a major and compelling interest in the completion of the Project because when completed, the Project will provide a perimeter roadway in the City that will reduce traffic congestion for its residents, tourists and visitors, facilitate commerce and the growth of the economy of the region, enhance public safety by serving as a means of evacuation in times of emergency and improve the public health, general welfare and quality of life by the inclusion of a bicycle/pedestrian lane that will make accessible to the public beautiful lowcountry vistas of marshes and waterways.

WHEREAS, to underscore its support for the Project and its support of the efforts of the County to complete the Project, this Resolution is passed.

NOW, THEREFORE, the Mayor and Councilmembers of Charleston, in City Council assembled, hold that if be:

RESOLVED that the foregoing RECITALS are adopted as if fully restated herein verbatim; and be it further

RESOLVED that the City Council of Charleston reaffirms its unconditional endorsement and support of the completion of the Project; and it is further

RESOLVED that the City of Council of Charleston wholly endorses and supports the undertakings of the County to provide reasonable and feasible assurances that the Project will be completed, including its commitment of up to \$150 million for that purpose and its pursuit from CHATS of up to \$195 million in guide share funding for the Project; and be it further

RESOLVED that the City of Charleston, in demonstration of its commitment to the Project, will strive to provide financial assistance to enable the Project to be completed by assisting with the payment of legal fees incurred to defend lawsuits that may result from the permitting process, and to provide other financial assistance to complete the Project, to the extent funds are available, from other potential sources of revenue such as tax increment financing,

DONE this _____ day of _____, 2017.

John J. Tecklenburg, Mayor
City of Charleston

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Beazer Homes, LLC
 ("Grantor") in the state aforesaid, for and in consideration of the sum of
 ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before
 the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby
 acknowledged, has granted, bargained, sold and released, and by these presents does grant,
 bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and
 assigns, forever, the following described property which is granted, bargained, sold and released
 for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston State of South Carolina, identified as (list street names) "SEABAGO DRIVE 55' R/W", "ROUSTABOUT WAY 50' R/W" and "ROUSTABOUT WAY 55' R/W"

as shown and designated on a plat entitled "FINAL SUBDIVISION PLAT SHOWING PHASE 5A & 5B, (33.230 AC.) PROPERTY OF BEAZER HOMES, LLC, LOCATED IN BOLTON'S LANDING, ST. ANDREWS PARISH, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA"

prepared by Andrew C. Gillette, P.L.S. 5933-B, of Parker Land Surveying, LLC
dated August 9, 2016, revised November 8, 2016, and recorded on _____
in Plat Book _____ at Page _____ in the RMC Office for Charleston County.
Said property butting and bounding, measuring and containing, and having such courses and
distances as are shown on said plat. Reference being had to the aforesaid plat for a full and
complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the Highway 17 Associates Limited Partnership dated November 19, 2003 and recorded January 7, 2004 in Book S480 at Page 874 in the RMC Office for Charleston County, South Carolina.

Grantee's Mailing Address:

City of Charleston
Department of Public Service
Engineering Division
2 George Street
Suite 2100
Charleston, South Carolina 29401

Portion of TMS No.:

286-00-00-003

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever law fully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 12th day of November 2016.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Grantor Beazer Homes, LLC

[Signature]
Witness Number One

By: [Signature]

Karen J Love
Printed Name

Douglas L. Schwartz, Area President
Printed Name

[Signature]
Witness Number Two

Bradford E. Love
Printed Name

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by Douglas L. Schwartz, the Area President of Beazer Homes, LLC, a Delaware limited liability company, on behalf of the Grantor on the 12th day of November, 2016.

Signature of Notary: [Signature]

Print Name of Notary: Bradford E. Love

Notary Public for South Carolina

My Commission Expires: 8/26/24

SEAL OF NOTARY

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Beazer Homes, LLC
to City of Charleston on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) ☒ exempt from the deed recording fee because (See Information section of affidavit): Exemption #2 (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____.
 - (B) _____ The fee is computed on the fair market value of the realty which is _____.
 - (C) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Grantor.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.


Responsible Person Connected with the Transaction

Beazer Homes, LLC by Douglas L. Schwartz, Area Pres.
Print or Type Name Here


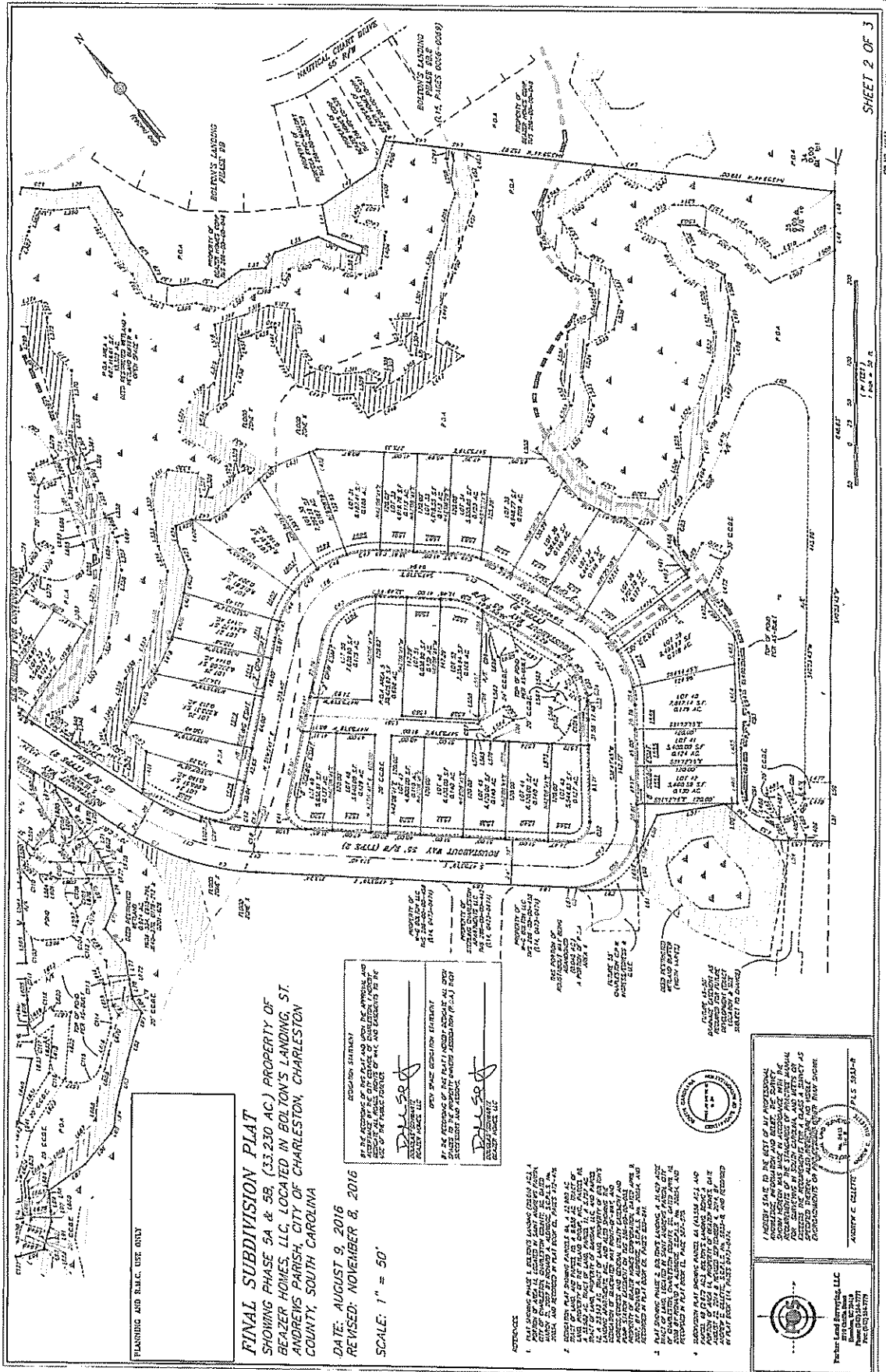
Sworn this 12th day of November 2016

Notary Public for South Carolina Bradford E. Leve
My Commission Expires: 9/26, 2021

Exhibit A



[illegible]

CODE AND INDEX

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF CHARLESTON)

EXCLUSIVE STORM
WATER DRAINAGE
EASEMENTS
CITY OF CHARLESTON

This Agreement is made and entered into this ____ day of _____ 20____, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and Beazer Homes, LLC, a Delaware limited liability company (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a tract of _____ property identified by and designated as Charleston County tax map number 286-00-00-003 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced tract of _____ the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or D.E.) as such are identified on the above referenced tract of _____ property and which are more fully shown on that certain plat entitled;

FINAL SUBDIVISION PLAT SHOWING PHASE 5A & 5B (33.230 AC.) PROPERTY OF BEAZER HOMES, LLC,
LOCATED IN BOLTON'S LANDING, ST. ANDREWS PARISH, CITY OF CHARLESTON, CHARLESTON COUNTY,
SOUTH CAROLINA

Prepared and executed by Andrew C. Gillette of Parker Land Surveying, LLC dated August 9, 2016,
revised on November 8, 2016 and recorded on _____ in Plat
Book _____ at Page _____ in the RMC Office for Charleston, South Carolina (herein the "Plat").
A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON. its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: Laura Cabiness
Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

OWNER: Beazer Homes, LLC

Witness #1 Bradford E Love

Douglas L. Schwartz
Name: Douglas L. Schwartz
Its: Area President

Witness #2 Karen S Love

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Douglas L. Schwartz, the Area President of Beazer Homes, LLC, a Delaware limited liability company, on behalf of the Owner on November 12, 2016.

Signature: Bradford E Love

Print Name of Notary: Bradford E Love

Notary Public for South Carolina

My Commission Expires: 11/26/24

SEAL OF NOTARY

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Sabal Homes at Grand Oaks, LLC ("Grantor") in the state aforesaid, for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, the following described property which is granted, bargained, sold and released for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston State of South Carolina, identified as (list street names) Redwing Trail, Brambling Lane and Grouse Park

243

as shown and designated on a plat entitled "Final Subdivision Plat of The Landing at Grande Oaks - Phase II, Charleston County TMS No. 301-00-00-433 Prepared for Sabal Homes at Grand Oaks, LLC"

prepared by HGBD Surveyors, LLC, dated 9/13/2016, revised 12/21/2016, and recorded on _____ in Plat Book _____ at Page _____ in the _____ Office for _____ County. Said property butting and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the Special Services Asset Management Co. dated June 25, 2013 and recorded June 28, 2013 in Book 0341 at Page 819 in the RMC Office for Charleston County, South Carolina.

Grantee's Mailing Address:

City of Charleston
 Department of Public Service
 Engineering Division
 2 George Street
 Suite 2100
 Charleston, South Carolina 29401

Portion of TMS No.:

301-00-00-433

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this _____ day of _____ 20____.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Grantor

Julia Thews
Witness Number One

R. Matthew Jones

Julia Thews
Printed Name

R. Matthew Jones
Printed Name

Barbara Schoonmaker
Witness Number Two

Barbara Schoonmaker
Printed Name

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by R. Matthew Jones, the President of Sabal Homes at Grand Oaks, LLC, a SC Limited Liability Corp., on behalf of the Grantor on the _____ day of _____, 20____.

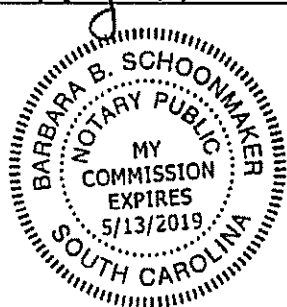
Signature of Notary: Barbara B. Schoonmaker

Print Name of Notary: Barbara B. Schoonmaker

Notary Public for SC

My Commission Expires: May 13, 2019

SEAL OF NOTARY



STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by _____
to _____ on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) ☒ exempt from the deed recording fee because (See Information section of affidavit): _____ (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (B) _____ The fee is computed on the fair market value of the realty which is _____
 - (C) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as _____.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

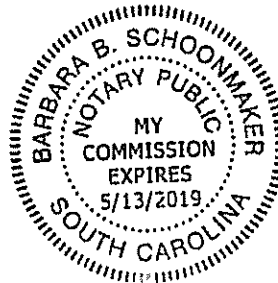
R. Matthew Jones

Responsible Person Connected with the Transaction

R. Matthew Jones

Print or Type Name Here

Sworn this _____ day of April 20____
Barbara B. Schoonmaker
Notary Public for SC
My Commission Expires: May 13, 2019



[illegible]

P. O. & R. ROAD ALICE TAYLOR		
DATE	AMOUNT	BALANCE
1907	100.00	100.00
1908	100.00	200.00
1909	100.00	300.00
1910	100.00	400.00
1911	100.00	500.00
1912	100.00	600.00
1913	100.00	700.00
1914	100.00	800.00
1915	100.00	900.00
1916	100.00	1000.00
1917	100.00	1100.00
1918	100.00	1200.00
1919	100.00	1300.00
1920	100.00	1400.00
1921	100.00	1500.00
1922	100.00	1600.00
1923	100.00	1700.00
1924	100.00	1800.00
1925	100.00	1900.00
1926	100.00	2000.00
1927	100.00	2100.00
1928	100.00	2200.00
1929	100.00	2300.00
1930	100.00	2400.00
1931	100.00	2500.00
1932	100.00	2600.00
1933	100.00	2700.00
1934	100.00	2800.00
1935	100.00	2900.00
1936	100.00	3000.00
1937	100.00	3100.00
1938	100.00	3200.00
1939	100.00	3300.00
1940	100.00	3400.00
1941	100.00	3500.00
1942	100.00	3600.00
1943	100.00	3700.00
1944	100.00	3800.00
1945	100.00	3900.00
1946	100.00	4000.00
1947	100.00	4100.00
1948	100.00	4200.00
1949	100.00	4300.00
1950	100.00	4400.00
1951	100.00	4500.00
1952	100.00	4600.00
1953	100.00	4700.00
1954	100.00	4800.00
1955	100.00	4900.00
1956	100.00	5000.00
1957	100.00	5100.00
1958	100.00	5200.00
1959	100.00	5300.00
1960	100.00	5400.00
1961	100.00	5500.00
1962	100.00	5600.00
1963	100.00	5700.00
1964	100.00	5800.00
1965	100.00	5900.00
1966	100.00	6000.00
1967	100.00	6100.00
1968	100.00	6200.00
1969	100.00	6300.00
1970	100.00	6400.00
1971	100.00	6500.00
1972	100.00	6600.00
1973	100.00	6700.00
1974	100.00	6800.00
1975	100.00	6900.00
1976	100.00	7000.00
1977	100.00	7100.00
1978	100.00	7200.00
1979	100.00	7300.00
1980	100.00	7400.00
1981	100.00	7500.00
1982	100.00	7600.00
1983	100.00	7700.00
1984	100.00	7800.00
1985	100.00	7900.00
1986	100.00	8000.00
1987	100.00	8100.00
1988	100.00	8200.00
1989	100.00	8300.00
1990	100.00	8400.00
1991	100.00	8500.00
1992	100.00	8600.00
1993	100.00	8700.00
1994	100.00	8800.00
1995	100.00	8900.00
1996	100.00	9000.00
1997	100.00	9100.00
1998	100.00	9200.00
1999	100.00	9300.00
2000	100.00	9400.00
2001	100.00	9500.00
2002	100.00	9600.00

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: Laura Cabiness
Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

John Nunes

Witness #1

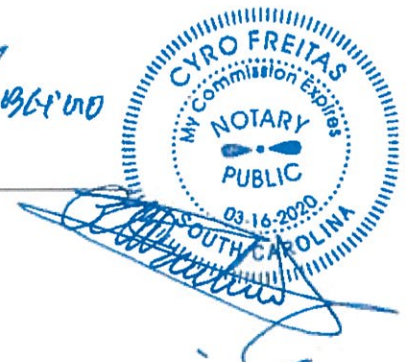
Diogo Gomes

Witness #2

OWNER:

Antonio Ribeiro

Name:



STATE OF SC)

COUNTY OF BERKELEY)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Antonio Ribeiro, the member of Clements Ferry Offsets LLC SC LLC, on behalf of the Owner on 12/12/16.

Signature: Cyro Freitas

Print Name of Notary: CYRO FREITAS

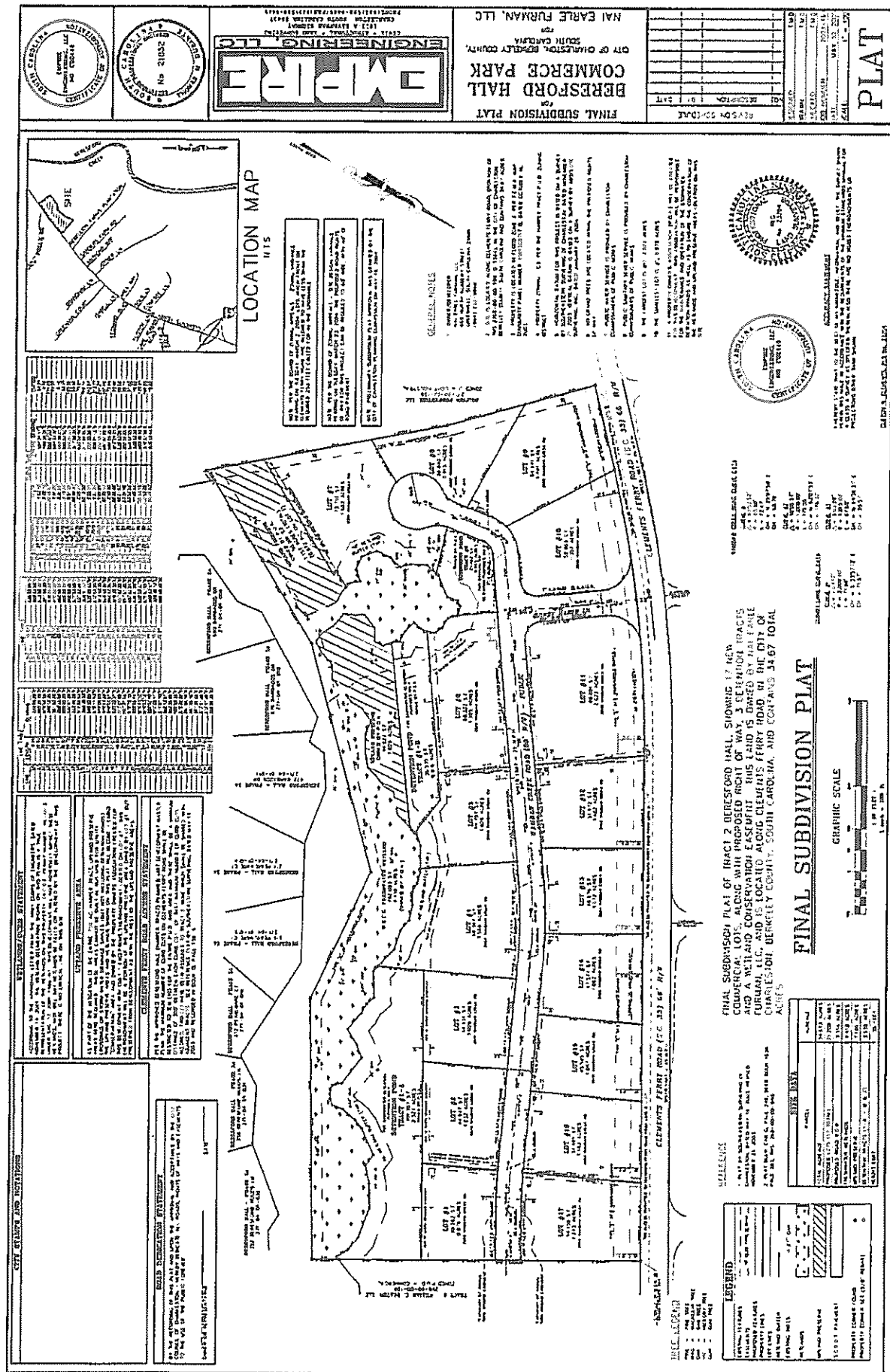
Notary Public for SC

My Commission Expires: 3/16/2020

SEAL OF NOTARY



EXHIBIT A



STATE OF SOUTH CAROLINA)
)
 COUNTY OF BERKELEY) QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that the City of Charleston, a South Carolina municipal corporation ("Grantor"), in the State aforesaid, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars, to it in hand paid at and before the sealing and delivery of these presents by DIEC II, LLC, a South Carolina limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, has remised, released and forever quit-claimed, and by these presents does remise, release and forever quit-claim unto the Grantee, its successors and assigns, all of its right, title and interest in and to the following described real property, to wit:

ALL that certain piece or parcel of land, situate, lying and being on Fairchild Street, Daniel Island, County of Berkeley, State of South Carolina, shown and designated as "RCP 1, 4,899 sq. ft., 0.112 acres conveyed to Parcel 1" on a plat prepared by John T. Byrnes, III, SCPLS, entitled "A FINAL SUBDIVISION AND PROPERTY LINE ADJUSTMENT PLAT OF TMS 275-00-00-260 – DANIEL ISLAND – FAIRCHILD STREET, owned by DIEC II, LLC, Located in the City of Charleston, Berkeley County, South Carolina" dated April 27, 2015, and duly recorded at the Berkeley County R.O.D. Office in Plat Cabinet S, at Page 85i; said parcel containing such actual size, shape, dimensions, buttings and boundings as are shown on said plat, reference to which is hereby craved for a more full and complete description thereof.

To be combined with T.M.S. No. 275-00-00-132

-ALSO-

ALL that certain piece or parcel of land, situate, lying and being on Fairchild Street, Daniel Island, County of Berkeley, State of South Carolina, shown and designated as "RCP 3, 111 sq. ft., 0.003 acres conveyed to Parcel 2" on a plat prepared by John T. Byrnes, III, SCPLS, entitled "A FINAL SUBDIVISION AND PROPERTY LINE ADJUSTMENT PLAT OF TMS 275-00-00-260 – DANIEL ISLAND – FAIRCHILD STREET, owned by DIEC II, LLC, Located in the City of Charleston, Berkeley County, South Carolina" dated April 27, 2015, and duly recorded at the Berkeley County R.O.D. Office in Plat Cabinet S, at Page 85i; said parcel containing such actual size, shape, dimensions, buttings and boundings as are shown on said plat, reference to which is hereby craved for a more full and complete description thereof.

To be combined with T.M.S. No. 275-00-00-____

SUBJECT TO ALL APPLICABLE EASEMENTS AND RESTRICTIONS OF RECORD.

BEING a portion of the same property conveyed to the Grantor by deed of the Daniel Island Company, Inc. dated November 30, 1999, at duly recorded at the Berkeley County R.O.D. Office on December 2, 1999, in Book 1801, at Page 0259.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said Grantee, its successors and assigns forever, so that neither the Grantor, nor its successors, nor any other person or persons claiming under them, shall at any time hereafter, by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal, by and through the undersigned agent, this ____ day of _____, 2016.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

The City of Charleston

By: _____

Title: _____

STATE OF SOUTH CAROLINA)
) ACKNOWLEDGMENT
COUNTY OF CHARLESTON)

I, a Notary Public for the State of South Carolina, hereby certify that the above named Grantor, by and through the above named agent, personally appeared before me this ____ day of _____, 2016, and acknowledged the due execution of the foregoing instrument.

_____(SEAL)
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires:_____

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property located on Fairchild Street, Daniel Island, SC, being a part of County Tax Map No. 275-00-00-132, is being transferred by The City of Charleston to DIEC II, LLC on _____, 2016.
3. Check one of the following: The Deed is (check one of the following)
 - (a) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (c) ☒ EXEMPT from the deed recording fee because (exemption # 1) (Explanation if required: Quit-claim Deed _____
(If exempt, please skip items 4-6, and go to item 8 of this affidavit)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - (a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - (b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
 - (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The Deed Recording Fee is computed as follows:
 - (a) _____ the amount listed in item 4 above
 - (b) _____ the amount listed in item 5 above
 - (c) _____ Subtract Line 6(b) from Line 6(a) and place the result.
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ _____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: _____.
9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

SWORN to and Subscribed before me
this _____ day of _____, 2016.

_____(SEAL)

NOTARY PUBLIC FOR S.C.

My Commission Expires: _____

Grantor, Grantee, or Legal Representative
connected with this transaction

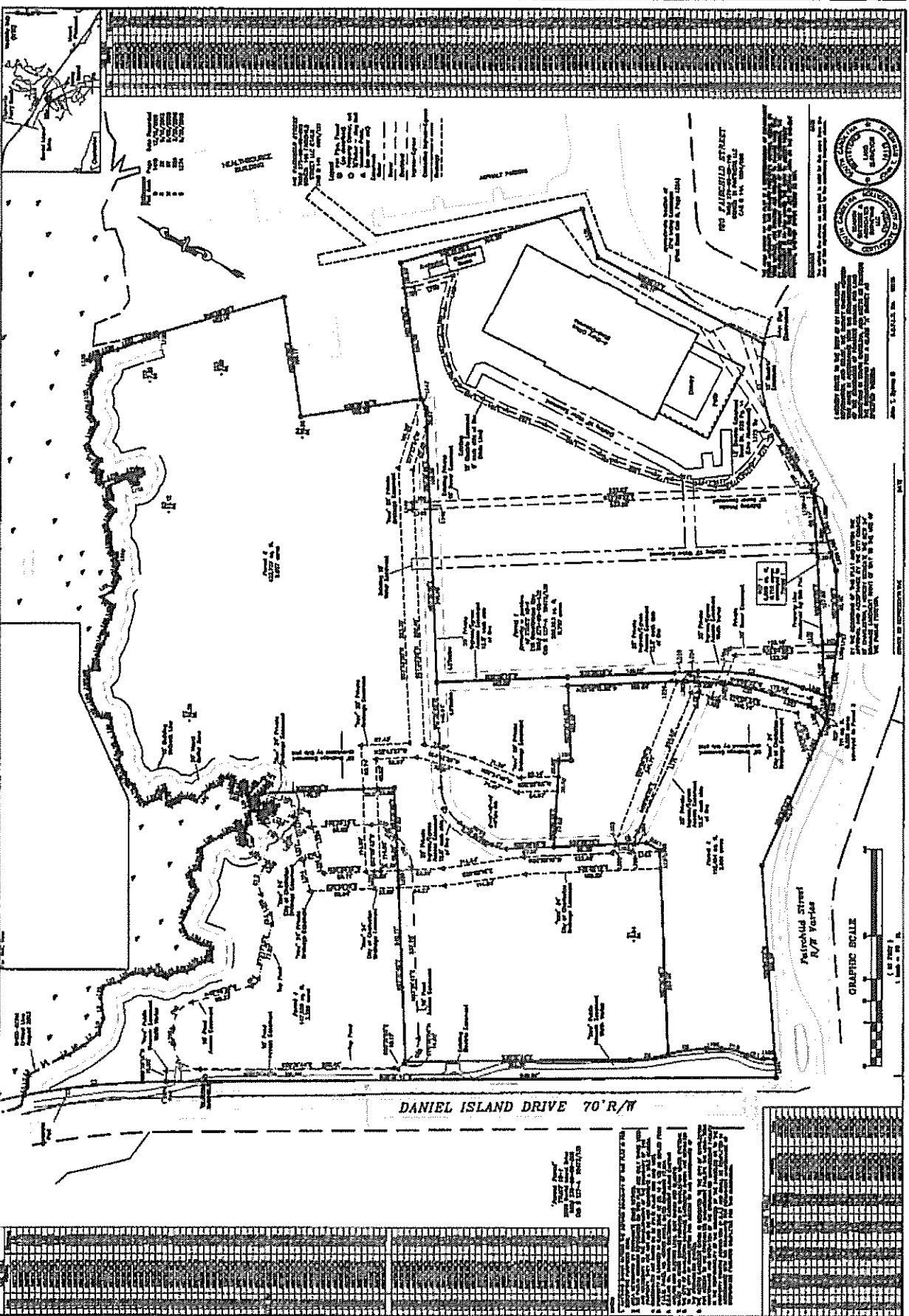
Print or Type Name Here

DATE: APR 27, 2005
BY: J. L. GIBBS
FOR: J. L. GIBBS
PROJECT: 275-00-00-280 - DANIEL ISLAND - FAIRCHILD STREET
SCALE: 1" = 100'
DATE: APR 27, 2005
BY: J. L. GIBBS
FOR: J. L. GIBBS
PROJECT: 275-00-00-280 - DANIEL ISLAND - FAIRCHILD STREET
SCALE: 1" = 100'

**A FINAL SUBDIVISION AND
PROPERTY LINE ADJUSTMENT PLAT OF
TMS 275-00-00-280 - DANIEL ISLAND - FAIRCHILD STREET
LOCATED IN THE CITY OF CHARLESTON
ORDERED BY DEC 11, 2004
BERKELEY COUNTY, SOUTH CAROLINA**

SMA SURVEYING
1022-B Landings Road
Charleston, SC 29407
(843) 786-6280

NO.	DATE	DESCRIPTION
1	10-20-04	Final Plat
2	10-20-04	Final Plat
3	10-20-04	Final Plat
4	10-20-04	Final Plat
5	10-20-04	Final Plat
6	10-20-04	Final Plat
7	10-20-04	Final Plat
8	10-20-04	Final Plat
9	10-20-04	Final Plat
10	10-20-04	Final Plat
11	10-20-04	Final Plat
12	10-20-04	Final Plat
13	10-20-04	Final Plat
14	10-20-04	Final Plat
15	10-20-04	Final Plat
16	10-20-04	Final Plat
17	10-20-04	Final Plat
18	10-20-04	Final Plat
19	10-20-04	Final Plat
20	10-20-04	Final Plat
21	10-20-04	Final Plat
22	10-20-04	Final Plat
23	10-20-04	Final Plat
24	10-20-04	Final Plat
25	10-20-04	Final Plat
26	10-20-04	Final Plat
27	10-20-04	Final Plat





Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO PROHIBIT MINI-WAREHOUSE/SELF-STORAGE USES IN THE URBAN COMMERCIAL (UC) ZONE DISTRICT AND CHANGE MINI-WAREHOUSE/SELF-STORAGE USES FROM A CONDITIONAL USE TO A SPECIAL EXCEPTION USE IN THE GENERAL BUSINESS (GB) ZONE DISTRICT

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 54-201 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting subsection "l." in its entirety and substituting in its place and stead the following:

- '1. General Business, **GB** District. The GB district is intended to provide for a broad range of commercial uses and activities. It is the most intensive commercial zoning district. Prohibited uses include junk and salvage yards, and storage yards (except for vehicles and boats). Mini-warehouse/self-storage uses may be permitted as special exception uses subject to the approval of the Board of Zoning Appeals. Automotive repair shops, communication towers, gas stations, short term lenders, veterinary clinics, and stables may be permitted as conditional uses."

Section 2. Article 2, Part 3: Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by replacing the symbol "†" with the symbol "‡" in the row for principal use 4227 Mini-warehouse/self-storage and the column for the following zoning districts: GB, UC, MU-2, and MU-2/WH.

Section 3. Article 2, Part 3: Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting "54-207, m." in the use description in the row for principal use 4227 Mini-warehouse/self-storage and inserting "54-206, f." so that the principal use description shall read as follows:

"4227. Mini-warehouse/self-storage 54-206, f., 54-206, r. or 54-207, k."

Section 4. Section 54-207 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting subsection "m." in its entirety.

Section 5. Article 2, Part 2: Permitted Uses By Base Zoning District of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the following new section into Section 54-206 in alphabetical order:

“f. Mini-warehouse/self-storage facilities shall be prohibited within the UC, MU-2, and MU-2/WH districts and shall be permitted within the GB district only as an exception where the Board, after review, finds that the proposed mini-warehouse/self-storage facility satisfies the following requirements:

1. The lot on which the mini-warehouse/self-storage facility is located is not within 200 feet of any MU-1, MU-1/WH, MU-2, MU-2 WH;
2. The lot on which the mini-warehouse/self-storage facility is located is not within 200 feet of any RR-1, SR, STR, DR or RO zoning district;
3. All loading bays are located on building sides that do not face a street;
4. First floor frontage of buildings within 50 feet of a street shall be designed to accommodate retail and office spaces to a depth of no less than 30 feet and have a minimum floor to ceiling height of 12 feet;
5. The site provides a twenty-five foot Type C buffer, as specified in Section 54-348, along all streets adjacent to the site, or satisfies the buffer requirements of Article 3, Part 8, whichever requirement is greater; except that for properties within the jurisdiction of the Board of Architectural Review (BAR) or the Design Review Board (DRB), the BAR or DRB may reduce or eliminate this buffer requirement if they deem the reduction or elimination to be appropriate;
6. All buildings maintain a minimum setback from street rights-of-way of fifty feet (50') or satisfy setback requirements of Section 54-311, whichever is greater; except that for properties within the jurisdiction of the Board of Architectural Review (BAR) or the Design Review Board (DRB), the BAR or DRB may reduce or eliminate this setback requirement if they deem the reduction or elimination to be appropriate; and
7. The site satisfies all other applicable regulations of this Chapter.

Outdoor boat and boat trailer storage shall be permitted in connection with mini-warehouse/self-storage facilities if the above conditions are met.”

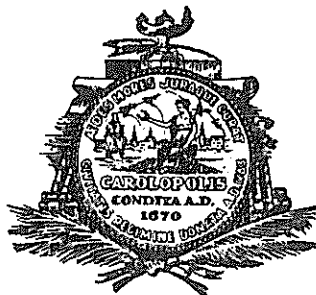
Section 6. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2017,
and in the 241st Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY REPEALING PART THEREOF (OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS) AND SUBSTITUTING IN ITS PLACE AND STEAD A NEW PART 6 ESTABLISHING REGULATIONS FOR THE OLD AND HISTORIC DISTRICT AND THE OLD CITY DISTRICT.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by repealing Part 6 thereof (Old and Historic District and Old City District Regulations) and replacing the same with a new Part, Old and Historic District and Old City District Regulations, said new Part 6 being attached to this Ordinance as Exhibit A and incorporated herein by reference.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord, 2017,
and in the _____th Year of the Independence of
the United States of America

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Vanessa Turner Maybank
Clerk of Council

PART 6 - OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS

Sec. 54-230. - Purpose of creating districts.

In order to promote the economic and general welfare of the city and of the public generally, and to insure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the city council of the city that the qualities relating to the history of the city and a harmonious outward appearance of structures which preserve property values and attract tourist and residents alike be preserved; some of these qualities being the continued existence and preservation of historic areas and structures; continued construction of structures in the historic styles and a general harmony as to style, form, color, proportion, texture and material between structures of historic design and those of more modern design. These purposes are advanced through the preservation and protection of old historic or architecturally worthy structures and quaint neighborhoods which impart a distinct aspect to the city and which serve as visible reminders of the historical and cultural heritage of the city, the state, and the nation.

Sec. 54-231. - Designation of Old City District and Old and Historic Districts; definitions.

- a. For the purpose of this article, three types of special districts are established, as follows:
 1. Old and Historic District and Old City District. The boundaries of the Old and Historic District and Old City District are as delineated upon the zone map, a part of the zoning ordinance of the city.
 2. Historic Corridor District. The boundaries of the Historic Corridor District are as delineated upon the zone map, a part of the city zoning ordinance.
- b. For the purposes of this article, "exterior architectural appearance" shall include architectural character, general composition and general arrangement of the exterior of a structure, its shape, form and proportion, the kind, color and texture of the building material and type and character of all windows, doors, light fixtures, signs and appurtenant elements that are visible from a street or public thoroughfare.
- c. For the purposes of this article, "structure" shall include, in addition to buildings, walls, fences, signs, light fixtures, steps or appurtenant elements thereof.
- d. For purposes of this article, "demolition" means the removal of an entire structure or portions or features of a structure that define its historic architectural character, such as roofs, columns, balustrades, chimneys, siding, windows, doors, shutters, site walls, fences and other unique architectural features, which if lost, would compromise the historic architectural character of the structure.

Sec. 54-232. - Construction or demolition of structures in districts; permit required; certificate of approval.

- a. No structure which is within the Old and Historic District shall be erected, demolished or removed in whole or in part, nor shall the exterior architectural appearance of any structure which is visible from a public right-of-way be altered until after an application for a permit has been submitted to and approved by the Board of Architectural Review.
- b. No structure in the Old City District or the Historic Corridor District that is either more than 50 years old or listed in Categories 1, 2, 3 and 4 on the Inventory Map as adopted by Sec. 54-235 shall be demolished, removed in whole or part, or relocated until after an application for a permit has been submitted to the Board of Architectural Review and either has been approved by it or the period of postponement in the case of application for partial or total demolition hereafter provided for in Sec. 54-240, d., has expired.
- c. The exterior architectural appearance of any structure, either more than one hundred years old or listed in Categories 1, 2, 3 and 4 on the Inventory Map adopted by Sec. 54-235 which is within the Old City District and which is visible from a public right-of-way, shall not be changed until after an application for a permit has been submitted to and approved by the Board of Architectural Review. In the Historic Corridor District, the exterior architectural appearance of structures visible from a public right-of-way, except for residential structures with fewer than eight units, shall not be changed until an application has been submitted to and approved by the Board of Architectural Review.
- d. Within the Old City District, no new structure which will be visible from a public right-of-way upon its completion shall be erected until after an application for a permit has been submitted to and approved by the Board of Architectural Review.
- e. Evidence of the approval required above shall be a certificate of appropriateness issued by the Board of Architectural Review as created herein. Such certificate shall be a statement signed by the chairman of the Board of Architectural Review or administrative officer, as applicable, stating that the new construction, demolition, relocation or the changes in the exterior architectural appearance for which application has been made are approved by the Board of Architectural Review; provided, however, that repairs and renovations to existing structures which do not alter the exterior appearance and are so exempted by the administrative officer as herein provided need not be approved by the Board of Architectural Review.
- f. Any person requesting a permit under this section and article shall be entitled to a hearing on such request before the Board of Architectural Review.

(Ord. No. 2003-93, §§ 1, 2, 9-23-03)

Sec. 54-233. - Board of Architectural Review created; composition; appointment and terms of office.

- a. Two Boards of Architectural Review are hereby established, to be known as the Board of Architectural Review – Small (the “BAR-S”) and the Board of Architectural Review – Large (the “BAR-L”). The BAR-S shall hear and decide applications for projects that are up to 10,000 square feet in size and minor modifications to projects over 10,000 square feet. The BAR-L shall hear and decide applications for projects that exceed 10,000 square feet. Demolition applications shall be assigned to either the BAR-S or BAR-L, as determined by staff.

ARTICLE 2 - LAND USE REGULATIONS
PART 6 - OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS

b. Each Board of Architectural Review shall consist of **five (5)** members and two (2) alternates who do not hold any other public office or position in the City of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, or non-citizen owners or principals of businesses located in the City. Each Board shall include two (2) registered architects, an attorney, a licensed professional involved in construction or engineering and a lay person. The members and alternates shall have a demonstrated interest in historic design or preservation and at least one of the following fields: fine arts, architecture, structural engineering, landscape architecture, civil engineering, urban design, city planning, preservation, construction, real estate development, law or associated disciplines. Each board shall elect one of its members chairman, who shall serve for a term of one year or until reelected or a successor is elected and qualified. Each board shall appoint a secretary who may be an officer of the governing authority. Each board shall adopt rules of procedure."

c. The initial term of three (3) of the five (5) members and one (1) alternate first appointed to the BAR-S and BAR-L shall expire on the date of the first regular City Council meeting in January following their appointment, and the initial term of the other two (2) of the five (5) members and the other alternate first appointed to the BAR-S and BAR-L shall expire on the date of the first regular City Council meeting in January two years thereafter. Following the initial term, the terms of all members and alternates shall be three (3) years. No member shall serve more than two successive three-year terms. A member who has served two successive three-year terms on the BAR-S is not disqualified from serving two successive three-year terms on the BAR-L, and *vice versa*. An appointment to fill a vacancy shall be only for the expired portion of the term.

d. Meetings of the board may be held at the call of the chairman and at such other times as the board may determine. The chairman or, in his or her absence, the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating the fact, and shall keep records of its examinations and other official actions, all of which immediately must be filed in the office of the board and must be a public record.

e. Alternate members, when seated, have all the powers and duties of regular members. Alternate members may always attend meetings but shall only participate in board deliberations and debate, make motions and vote in the absence or voting disqualification of a regular member or the vacancy of a regular member's seat. When necessary to achieve a quorum, an alternate of one Board may serve on the other Board.

(Ord. No. 1999-54, § 2A, 4-27-99; Ord. No. 2000-35, § 1, 3-14-00; Ord. No. 2007-60, § 1, 3-6-07)

Sec. 54-234. - Meeting of board.

a. The Board of Architectural Review may meet at any time upon call of the chairman and, in addition, shall within fifteen (15) days after notification by the administrative officer of the filing of an application for a permit to demolish any structure in whole or in part, hold a public hearing upon each application. At least five (5) days' notice of the time and place of each such hearing shall be given by the administrative officer as follows:

1. In writing to the applicant.

ARTICLE 2 - LAND USE REGULATIONS
PART 6 - OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS

2. In writing to all persons or organizations that have filed an annual written request for such notices and have paid an annual fee, not to exceed twenty-five dollars (\$25.00), to cover the costs involved.

3. By publication in the form of an advertisement in a newspaper of general circulation within the city.

Sec. 54-235. - Adoption of inventory map; procedure for revision.

In order to identify structures within peninsula Charleston which should be preserved, maintained and protected in the public interest and to provide guidance for the Board of Architectural Review there hereby is adopted as an official public document the inventory map entitled "Historic Architecture Inventory, 1972-73, Peninsula City, Charleston, S.C.," prepared for the city by Carl Feiss, FAIA, AIP, City Planning and Architectural Associates, and Russell Wright, AIP, consisting of peninsula Charleston south of Highway 17, and additional sheets being dated September 4, 1973, with revisions September 11, 1973, October 16, 1973, November 14, 1973, February 20, 1974 and March 27, 1974, as amended by the inventory map entitled "South Carolina Inventory of Historic Places Survey Report, City of Charleston, S.C." prepared for the city by Geier Brown Renfrow Architects and dated August 1985, and as amended by the inventory entitled "A Historic Architectural Resources Survey of the Upper Peninsula, Charleston, South Carolina" prepared by Brockington and Associates, dated 2004 consisting of the peninsula Charleston north of Line Street and south of Mount Pleasant Street (collectively "Inventory Map"). The original of the said Inventory Map shall be filed in the Department of Planning, Preservation and Sustainability as a public record and shall be available for public inspection during normal business hours. Based on changed conditions, the Board of Architectural Review from time to time may recommend to the City Council additional revisions of said Inventory Map, but none shall become effective until the Zoning Ordinance has been appropriately amended.

Sec. 54-236. - Guidance standards; maintenance of consistent policy.

In order to provide guidance and insight into desirable goals and objectives for the Old City District and the Old and Historic District and Historic Corridor District for desirable types of development, and for the maintenance of consistent policies in guiding the building public toward better standards of design, the Board of Architectural Review shall be guided by the 2017 BAR GUIDELINES FOR NEW CONSTRUCTION AND RENOVATION AND REPAIRS, said GUIDELINES being incorporated herein by reference, a permanent copy of which shall be maintained by the Department of Planning, Preservation and Sustainability, or its successor department, and copies of which shall be made available to interested persons on request

Sec. 54-237. – Application Procedure

Pre-Application Conference: Applicants are required to meet with staff prior to applying for Conceptual Approval for projects exceeding 10,000 square feet to assure the applicant is acquainted with and has an understanding of the Board's Guidelines. Applicants for projects less than 10,000 square feet are encouraged, but not required, to likewise meet with staff prior to applying for Conceptual Approval.

Conceptual: Review of the general height, scale, mass and three dimensional form of a building, or an addition to an existing building, and the general architectural direction and quality of the project as it relates to its site, its neighborhood, and the City of Charleston. This phase defines the overall quality and architectural character of the project.

ARTICLE 2 - LAND USE REGULATIONS
PART 6 - OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS

Preliminary: Review of the development of the conceptual design and its relationship to its context in terms of the project's details, finishes and materials. This phase defines the level of quality of construction, and the relationship of the building's components to surrounding buildings and to one another.

Final: Review of the completion of the preliminary design based on completed construction documents and material specifications for consistency with the level of quality of the previous phases. Final Review of BAR-L projects shall be by the Board, unless the Board delegates the review to staff. Final Review of BAR-S projects shall be by staff; provided however, at its discretion, staff may require Final Review to be undertaken by the Board. Any final review that is delegated to staff is for the purpose of assuring that for-permit construction drawings comply with the approved design.

Comparative Reviews: For each review after Conceptual approval, or if the applicant is required to submit more than one conceptual submittal, the applicant shall show on the same sheet the previous proposal for comparison to the current proposal

Courtesy Review: At the discretion of staff, an applicant may be requested to submit to a courtesy review of a project by the Board to receive informal initial feedback as to the direction of the project.

Affordable/Workforce Housing Projects; Projects which include affordable or workforce housing units that are submitted by the application deadline and which comply with all submittal requirements shall be placed on the agenda of the next regularly scheduled meeting of the Board.

In the case of very minor projects involving repair or alterations to existing structures, the Board of Architectural Review, if the preliminary drawings and other data are sufficiently clear and explicit, may grant preliminary and final approval at one review session. Should said data indicate alterations, remodeling, or repairs not changing the exterior appearance, the administrative officer may exempt the application from provisions of this section and approve a Certificate of Appropriateness..

Sec. 54-238. - Contents of application.

Contents of applications for demolition, relocation, new construction, or alterations and/or additions or renovations to existing structures shall include such drawings, photographs or other information as may from time to time be adopted by the Board of Architectural Review, copies of which shall be maintained in the Office of Planning, Preservation and Sustainability or such successor office thereto.

Sec. 54-239. - Public notice requirements.

Upon the filing of an application with the Board of Architectural Review, the property to which such application applies shall be posted with a sign at least five (5) days prior to any public hearing when the application will be considered and said sign shall specify the appropriate city department to contact concerning information regarding the application. The Board of Architectural Review shall adopt and implement rules of procedure by which the posting of signing shall be conducted, and may make recommendations to City Council of fees to be charged therefore. Any fee schedule established hereunder shall be approved by City Council.

Sec. 54-240. - Board of Architectural Review; powers and duties.

a. In passing upon an application to demolish, or demolish in part, or remove, or alter the exterior architectural appearance of any existing structure, the Board of Architectural Review shall consider, among other things, the historic, architectural and aesthetic features of such structure, the nature and

ARTICLE 2 - LAND USE REGULATIONS
PART 6 - OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS

character of the surrounding area, the culturally important use of such structure and the importance to the city.

b. In passing upon an application for new construction in the Old and Historic district or Old City District, the Board of Architectural Review shall consider, among other things, the general design, the character and appropriateness of design, the scale, form, proportion and height of the structure of the structure, the arrangement, texture, materials and color of the structure in question, and the relation of such elements to similar features of structures in the immediate surroundings. The Board of Architectural Review shall not consider interior arrangement or interior design; nor shall it make requirements except for the purpose of preventing developments which are not in harmony with the prevailing character of Charleston, or which are obviously incongruous with this character. For purposes of this section, immediate surroundings means both sides of the street or streets that adjoin the property that is subject to the application for a distance of one full block in either direction from the property.

c. Among other grounds for considering a design inappropriate and requiring disapproval and resubmission are the following effects: Arresting and spectacular effects, violent contrasts of materials or colors and intense or lurid colors, a multiplicity or incongruity of details resulting in a restless and disturbing appearance, the absence of unity, compatibility and coherence in composition, form and proportion not in consonance with the dignity and character of the present structure (in the case of repair, remodeling or enlargement of an existing structure) or with the prevailing character of the immediate surroundings (in the case of a new structure).

d. In case of disapproval of an application, the Board of Architectural Review shall state the reasons therefore in a written statement to the applicant and make recommendations in regard to appropriateness of design, arrangement, texture, material, color and the like of the property involved.

e. The Board of Architectural Review may refuse a permit or Certificate of Appropriateness for the erection, reconstruction, alteration, demolition, partial demolition, or removal of any structure within the Old and Historic District, which in the opinion of the Board of Architectural Review, would be detrimental to the interests of the Old and Historic District and against the public interests of the city.

f. Upon receiving an application for the demolition or removal of a structure over fifty years old and within the limits of the Old City District, the Board of Architectural Review, within forty-five (45) days after receipt of the application, shall either approve or deny such application, or find that the preservation and protection of historic places and the public interest will best be served by postponing the demolition or alteration for a designated period, which shall not exceed one hundred eighty (180) days from the receipt of the application, and notify the applicant of such postponement.

g.. In any case involving the demolition or partial demolition of a structure, before granting approval or requiring a postponement, the Board of Architecture Review may call on the chief building official to provide it with a report on the state of repair and structural stability of the structure under consideration.

h. In all applications involving the demolition or partial demolition of a structure, provision shall be made for a public hearing as set forth in this article.

i. Within the period of postponement of such demolition or alteration of any structure, the Board of Architectural Review shall take steps to ascertain what the City Council can or may do to preserve such structure, including consultation with private civic groups, interested private citizens and other public boards or agencies and including investigation of the potential use of the power of eminent domain when the preservation of a given structure is clearly in the interest of the general welfare of the community and of certain historic and architectural significance. The Board of Architectural Review shall then make such

ARTICLE 2 - LAND USE REGULATIONS
PART 6 - OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS

recommendations thereabout to the City Council as the board may determine to submit.

j. The Board of Architectural Review shall have the power to delay for a period of 180 days or deny outright the demolition or removal of a structure over 50 years old in the area bounded to the north by Mount Pleasant Street or the extensions thereof into the waters of the Ashley and Cooper Rivers, to the east by the waters of the Cooper River to the south by the Old City District and to the west by the waters of the Ashley River.

k. The approval of an application by the Board of Zoning Appeals—Zoning or the Board of Zoning Appeals—Site Design pertaining to dimensional requirements of a proposed project shall not be binding on the Board of Architectural Review in its review, or of any power granted to it in this ordinance..

(Ord. No. 1998-148, § 1, 8-18-98; Ord. No. 1999-54, § 4, 4-27-99)

Sec. 54-241. - Powers of board to require repair of structures.

The Board of Architectural Review, on its own initiative, may file a petition with the chief building official requesting that said officer proceed under the public safety and housing ordinance to require correction of defects or repairs to any structure covered by this article so that such structure shall be preserved and protected in consonance with the purpose of this article and the public safety and housing ordinance.

Sec. 54-242. - Exemptions from article.

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any structure described in section 54-232; nor shall anything in this article be construed to prevent the construction, reconstruction, alteration or demolition of any such elements which the chief building official shall certify as required by public safety.

Sec. 54-243. - Report to administrative officer; issuance of certificate of appropriateness.

Upon approval of the plans, the Board of Architectural Review shall forthwith transmit a report to the administrative officer stating the basis upon which such approval was made, and if no further action is required of the Board or staff, cause a certificate of appropriateness to be issued to the applicant. [If the Board of Architectural Review shall fail to take final action upon any case within forty-five (45) days after the receipt of application for permit, the application shall be deemed to be disapproved, except where mutual agreement has been made for an extension of time limit.]

When a certificate of appropriateness has been issued, a copy thereof shall be transmitted to the city building inspector, who shall from time to time inspect the alteration or construction approved by such certificate and shall make a report of such inspection to the Board of Architectural Review of any work not in accordance with such certificate or violating any ordinances of the city.

Sec. 54-244. - Time limitations on certificates of appropriateness.

Certificates of Appropriateness shall remain valid for two (2) years from the date of approval, unless extended in accordance with Section 54-962 hereof.

(Ord. No. 1999-24, § 1, 3-10-99; Ord. No. 2005-99, § 2, 6-21-05)

Sec. 54-245. - Appeals to Board of Architectural Review.

Appeals to the Board of Architectural Review may be taken by any person aggrieved or by any officer,

ARTICLE 2 - LAND USE REGULATIONS
PART 6 - OLD AND HISTORIC DISTRICT AND OLD CITY DISTRICT REGULATIONS

department, Board or bureau of the city. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing with the officer from whom the appeal is taken and with the Board of Architectural Review a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

(Ord. No. 1999-54, § 2B, 4-27-99)

Sec. 54-246. - Effect of an appeal.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Architectural Review or a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

(Ord. No. 1999-54, § 2B, 4-27-99)

Sec. 54-247. - Hearing an appeal.

The Board shall fix a reasonable time for the hearing of the appeal, or other matter referred to it, and give public notice of it, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or by attorney.

(Ord. No. 1999-54, § 2B, 4-27-99)

Sec. 54-248. - Appeal from Board of Architectural Review to Circuit Court.

A person who may have a substantial interest in any decision of the Board or any officer or agent of the appropriate governing authority may appeal from a decision of the Board to the circuit court in the county by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the affected party receives actual notice of the decision of the Board.

(Ord. No. 1999-54, § 2B, 4-27-99)

Sec. 54-249. - Reserved.

2017 BOARD OF ARCHITECTURAL REVIEW GUIDELINES FOR NEW CONSTRUCTION AND RENOVATIONS AND REPAIRS

NEW CONSTRUCTION:

Building Types

The BAR must deal with issues of architectural aesthetics and quality, and also building type, as building type is a central feature of the character of Charleston.

Charleston buildings in general may be characterized as narrow to the street frontage and oriented to the environment by solar shielding to the south and west. There exist five coherent and clearly identifiable building types, to wit:

Charleston Single House:

This building type is generally very close to the street frontage on the narrow end. It generally has a covered piazza to the south and/or to the west. It varies tremendously in size from modest to palatial and the program within varies from single-family residential, multi-family residential, office, shop, lodging, and of late, educational building. Charleston sideyard Single Houses are found all over the historic city.

Charleston Shopfront:

This building type is essentially a commercial adaptation of the Single House, built tightly adjacent to one another, with the sideyard more-or-less removed but the side piazza remaining as a hyphen between buildings. This hyphen, or commercial piazza, provides gated passage to the rear and often features an open-air stair to allow side access to upper stories. The first floor is on the ground (not elevated as in the Single House) and glazed as required for retail purposes. Most of the southern half of King Street consists of Charleston Shopfronts.

Large Scale Building:

The Large Scale Building type is typically broken down into small forms to acknowledge the typical pattern of Charleston, serving the purpose of a large program such as hotel, office or apartment building. It is as thin as possible at the frontage.

Charleston Warehouse:

The Charleston Warehouse building type is the remnant of Charleston's industrial past. This building type is not necessarily narrow to the frontage, although it can be. This building type does not have piazzas and is simple in massing with very high ceilings and large windows repetitively placed. For this building type, it is important that the materials—usually brickwork—be of highest quality, and that the windows have high quality, small-scale mullions. This type is suitable for newer programs such as office buildings, research labs, etc., and has proven popular for residential uses as well.

Parking Garage:

There is a fifth building type that is the parking garage. In Charleston, parking garages are

often articulated with vertical proportions and fenestrations, and often with louvers. At its most successful, the first floor frontage is assigned to retail to a suitable depth no less than 30 feet, with its parking internal.

[INSERT ILLUSTRATION]

Best Practices

The numbers below refer to illustrations on the following page.

1A. Best Practice: Charleston Single House

Notice the short setback from the sidewalk, and the fact that piazzas generally face south or west onto the side yard, a distinct difference from the usual boxy American house. Despite the repetitive discipline of the type, there is no lack of variety in the urban fabric that these houses create together, as their asymmetry enables them to front the streets in three entirely different ways: long facades without piazzas, usually on the northern or eastern sides of the houses, are massive and imposing; the narrow gable-ends, which typically feature the front door, provide the thin fronts particular to Charleston; finally, long sides facing to the south or west, with their full-length piazzas, front the street like grand mansions. This is common south of Broad Street and throughout the older Historic Districts.

1B. Best Practice: Charleston Shopfront

For commercial streets, the Single Houses can maintain the narrow facade by eliminating the gardens and sometimes retaining an adapted piazza that provides a passage to the rear. When this side piazza is large enough, it even has the ability to provide space for a small shop. This is common in the older sections of King Street.

1C. Best Practice: Large Scale Building

The Single House can also scale up for much bigger commercial purposes while maintaining the narrow front to the street and sideyard to the south. The Mills House Hotel is an example of this building type. Few problems are caused by large buildings that retain this contextual building type.

2A. Acceptable Practice: Charleston Warehouse

The Charleston Cigar Factory offers the best model for a large loft-type structure. This building type is simple in form and is most always of brick construction. Quality is derived from the pattern and proportion of the windows, the deep set nature of the windows and the simple detailing using brick for arches, window details, etc. This building type can be wide or narrow to the street.

2B. Acceptable Practice: In General

If the creation of multiple smaller buildings with sideyards is infeasible, the large building should be broken into smaller forms, which replicate the rhythm of a row of Single Houses,

while still maintaining the single, larger building. The hyphens between these small forms should take their cues from the residual piazzas that separate Charleston Storefronts, offering as much openness and transparency as possible.

2C. Discourage Practice: In General

Monolithic structures without internal divisions of any kind can be made good enough for most suburban retrofit areas or larger, non-historic cities, as they successfully mask parking, line sidewalks, and even provide commercial frontages. In the historic heart of Charleston, however, buildings of this character will degrade the character of the city.

[next page is the illustrations]

GUIDELINES:

A **guideline** activated by “shall” is a mandatory rule, unless applicant makes a compelling argument to the contrary.

A **guideline** activated by “should” is an option strongly recommended by the BAR.

A **guideline** activated by “may” is an option that can be requested by the BAR.

Building height shall be measured in number of stories, not in feet. The ground floor shall be higher than the other floors; a minimum of 14 feet, measured from floor to floor, for commercial buildings and 10 feet, measured from floor to floor, for residential buildings. .

Purpose: Higher ceiling heights present a more gracious façade to the street. On the interior, taller ceilings provide better light and ventilation.

Buildings should have a base, wherein the bottom is articulated differently from the rest of the building, either by a change of material, or a setback above the base. Material and craftsmanship on the base shall be more durable and of higher quality than the rest above. For buildings less than six stories, the base consists of the ground floor. For buildings more than six stories, the base shall be taller and proportionally appropriate to the building.

Purpose: The base serves two purposes: to present higher quality tactile and visual experience to the passerby and to help articulate the building at a human scale. The better materials and workmanship are especially critical at street level as it is within eye level and reach of pedestrians.

Buildings should be narrow towards the frontage—even commercial buildings, which may be massed as a single bar or as a series of wings.

Purpose: Narrow frontages permit a larger number and variety of structures to line the sidewalk, thereby enlivening the pedestrian experience. Additionally, vertical orientation reinforces Charleston’s visual character, which has always tended towards the vertical.

Whether large or small, building frontage should reflect the rhythm of the adjacent or fronting buildings. This can be achieved either by breaking up the project into several buildings or articulating a single mass as a series of smaller forms.

Purpose: To work in harmony with surrounding buildings. In a city, buildings should not pretend to be isolated objects, but rather work together with their surroundings to define and enhance the public realm.

Parking Garages and ground level parking in habitable buildings in A-Zones should be shielded at their frontage to a minimum depth of 30 feet of habitable space. In V-Zones and residential areas in A-Zones where flood elevation precludes habitable space at the street level, parking should be shielded by louvers, landscaped trellises, and/or crafted ornamental metal screens. Open parking lots shall be screened by walls between 4.5 and five feet in height. The walls shall be masonry matching the principle building if such exists.

Purpose: To mitigate the visual appearance of parking lots and garages in support

of the pedestrian experience. The habitable space may provide workspace or retail shops.

The primary entrance of all buildings should be located on street frontage and not directly on a parking lot or garage.

Purpose: To support street life on the sidewalk.

Exterior materials should be brick, cut stone, smooth stucco (stucco over frame is discouraged, but if proposed will be held to strict deflection criteria) and clapboard. Composite and processed materials, steel sections, cast stone, and cementitious boards, in limited quantity, may be approved upon submittal of a sample to the BAR. Vinyl, Styrofoam, and other synthetic materials should be avoided.

Purpose: Materials shall not emulate other materials. The authenticity of Charleston should be supported by materials that are authentic in their appearance and function.

Building materials shall express their tectonics. (For example: heavier materials below lighter materials, wood and metal above brick, and both above stone).

Purpose: To ensure the legibility of the architectural language to the passerby and to support the authenticity of construction.

Metalwork, woodwork, stucco and stone by local Charleston crafts persons is encouraged.

Purpose: Charleston has local craft traditions dating back three centuries that are integral to its cultural and architectural heritage. They strengthen the identity and character of the city, empower local crafts people and contribute to the local economy.

Storefront glazing, doors, and building signage should be conceived as a unified design.

Purpose: To enhance the harmony of the building facades and streetscape.

All glazing shall be clear. A minimum of 70% glazing shall be required on storefronts at the frontage level.

Purpose: Glazing increases interest and even security for pedestrians. Dark, opaque and/or reflective glass is not civic in character, nor is it in the local vernacular.

Wall openings, with the exception of storefronts and transoms, shall be vertical in proportion. They should display a ratio between 2/1 and 3/1.

Purpose: Vertical windows allow greater depth of light into a room and, by providing a frame in proportion with the human body, express the human occupation within.

Facades should endeavor to have several window sizes, with smaller ones above. Three sizes should be provided for buildings taller than four stories and two sizes for buildings four stories or less.

Purpose: The size and frequency of windows is one of the most significant visual characteristics of a building. They should provide repetitive rhythm horizontally,

but not be too repetitive vertically.

Thin mullions or muntins may be required on windows larger than two feet in any direction and cannot be located between or behind the outer glass surface. The depth of the mullion should not be less than the width.

Purpose: To provide small-scale texture, and provide visual structure and relief to otherwise large, unsupported pieces of glazing.

Glazed openings should show a minimum wall depth of four inches clear to the frontage.

Purpose: To provide the building with relief and avoid the impression of cheap, paper-thin facades.

The building should have an array of small scale detail derived from the modularity of the material (brick or clapboard), elements such as mullions, louvers, string courses, trim details, brackets, cornices, and/or column details.

Purpose: Richness of detail is essential to providing points of visual interest to pedestrians, and to articulating the human scale of a building.

Buildings should shade fenestration facing south and west, by means of elements such as roof overhangs, arcades, porches, awnings, loggias, balconies and piazzas.

Purpose: This is a Charleston tradition that evolved as an adaptation to climate. It is integral to the city's aesthetic identity and enhances the sustainability of its building stock.

Roofing

GENERALLY EASIER TO APPROVE <.....> MORE DIFFICULT TO APPROVE

URBAN GUIDELINES

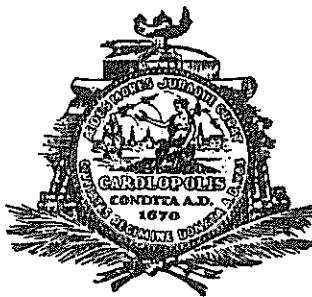
TALLER CEILING HEIGHTS <.....> SHORTER CEILING HEIGHT
NARROW TO THE FRONTAGE <.....> WIDER TO THE FRONTAGE
BASE DIFFERENTIATED <.....> BASE CONTINUOUS
MANY SMALL BUILDINGS <.....> FEW LARGE BUILDINGS
PARKING MASKED FROM FRONTAGE <.....> PARKING VISIBLE FROM
PARKING PROVIDED <.....> EXCESS PARKING PROVIDED
ARCHITECTURAL GUIDELINES
NATURAL & INTEGRAL MATERIALS <.....> COMPOSITE & CLADDING MATERIALS
STRUCTURAL EXPRESSION <.....> SURFACE EXPRESSION
APPLICATION OF LOCAL CRAFT <.....> ABSENCE OF CRAFT
UNIFIED STOREFRONT DESIGN <.....> STOREFRONT BY COMPONENT
CLEAR GLAZING <.....> DARK OR MIRROR GLAZING
VERTICAL PROPORTIONS <.....> HORIZONTAL PROPORTIONS
REPETITIVE FENESTRATION <.....> MIXED FENESTRATION
SMALL MULLIONS <.....> LARGE OR NO MULLIONS
THICKER WALL DEPTH <.....> THINNER WALL DEPTH
SIMPLE MASSING <.....> COMPLEX MASSING
SHADING ELEMENTS PROVIDED<.....> NO SHADING ELEMENTS

RENOVATION AND REPAIR:

The renovation and repair of existing structures shall be in accordance with the Secretary of the Interior's Standards for Historic Preservation, as modified by the Charleston Standards, adopted by the Board of Architectural Review on _____.

Places of Public Use or Assembly:

The predominant standard in the review of performance halls, museums, libraries or other places of public assembly shall be the architectural expression of the structure's intended use.



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) PERTAINING TO SEC. 54-306, OLD CITY HEIGHT DISTRICTS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) as it pertains to Sec. 54-306, Old City Height Districts, is hereby amended to read as follows:

“Sec. 54-306. Old City Height Districts

The requirements of this Section have resulted from a contextural study of building height and architectural patterns in the Old City Height District. The requirements of this Section reflect the predominant building height trends of the areas to which they are applied. The requirements of this Section are intended to clarify acceptable heights of buildings in areas of the Old City Height District, subject to the right of the Board of Architectural Review to allow for greater heights in limited circumstances when base on architectural merit.

General Requirements

1. Heights shall be measured in stories or feet, as specified. Notwithstanding the foregoing, height shall be measured in feet in the following districts: 3X, 85/200, 85/125, 85/30, 100/30, 80/30, 50W, W and WP.
2. Maximum height, if specified in feet, shall be taken from the highest curb elevation adjacent to the site to the highest point of the structure.
3. Where heights of stories are specified in feet, the measurement shall be from finished floor to finished floor.
4. If a building is required to be raised per FEMA requirements, that same height shall be applied to the maximum height allowed, up to a maximum of 6 feet.
5. Floors shall be measured in the following manner:
 - i. The maximum height of any residential floor shall be 12 feet, unless

otherwise specified. Any dimension above this shall constitute a second floor.

- ii. The minimum height of any residential floor shall not be less than 10 feet.
 - iii. The maximum height of any commercial story shall be 20 feet, unless otherwise specified. Any dimension above this shall constitute a second floor.
 - iv. The minimum height of any commercial floor shall not be less than 14 feet, unless otherwise specified.
 - v. Parking area under a structure, regardless of height, shall be counted as a story.
6. Half stories shall be permitted as specified by zone. Half stories shall constitute a maximum 50% habitable use of the attic space.
7. Building height to roof eave shall not exceed twice the building width at frontage. The Board of Architectural Review may waive this provision based on architectural merit and context.
8. There shall be no minimum building height requirement.
9. Appurtenances shall not be permitted to exceed the maximum height, unless otherwise specified.
10. If any portion of a structure is within fifty (50) feet of an existing structure rated "exceptional" (Group 1) or "excellent" (Group 2) on the Historic Architecture Inventory, adopted by Section 54-235, or a Landmark structure or a structure in the National Register, no portion of that structure shall exceed the height of such existing structures unless approved by the Board of Architectural Review.
11. Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.

Sec 54-306.A: Height District 2.5

Maximum building height shall be 2.5 stories, up to 35 feet maximum.

The Board of Architectural Review may permit an additional half story based on architectural merit and context.

Sec 54-306.B: Height District 3

Maximum building height shall be 3 stories.

The attic shall not be habitable, eave to roof peak shall be no greater than 7 feet.

The commercial ground floor shall not exceed 14 feet.

The Board of Architectural Review may waive the limitation on habitable attic space based on architectural merit and context.

Sec 54-306.C: Height District 2.5 - 3.5

On ROW's greater than 50 feet, the building height shall be limited to a maximum 3 stories and a maximum height of 45 feet.

On ROW's between 35 feet and 50 feet, the building height shall be limited to a maximum of 3 stories, and shall also be limited by the ROW width of the street at a maximum 1:1 ratio. In no event, shall maximum building height exceed 45 feet. (i.e.: if a ROW is 40ft, the building shall not be taller than 40ft).

On ROW's less than 35ft the building height shall be limited to a maximum 2.5 stories.

For multi-family buildings, the Board of Architectural Review may permit up to 4 stories and up to a maximum 45 feet, and in PUDs, and based on architectural merit and context.

Any new structure that requires the ground floor to be elevated more than 2 feet above the average sidewalk height as per FEMA requirements shall be allowed the equivalent in height up to a maximum of 50 feet overall.

The commercial ground floor shall not be less than 12 feet in height and no more than 16 feet in height.

Sec 54-306.D: Height District 3.5

Maximum building height shall be 3.5 stories, up to a maximum of 50 feet.

The Board of Architectural Review may permit an additional half story, based on architectural merit and context, up to a maximum of 50 feet overall.

Sec 54-306.E: Height District 4

Maximum building height shall not exceed 4 stories.

Sec 54-306.F: Height District 5

Maximum building height shall not exceed 5 stories.

The Board of Architectural Review may permit an additional story based on architectural merit and context.

Additional height for ornamental appurtenances exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.

Additional height for utilitarian appurtenances related to mechanical equipment or

structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) shall be permitted, based on the following standards:

Appurtenances shall not exceed nine feet in height.

Appurtenances shall be placed to the rear or side of the buildings where possible.

Structures erected to the maximum height allowed by this District shall be abutted by sidewalks no less than 8 feet in width.

Sec. 54-306 G. Height District 6

Maximum building height shall not exceed 6 stories.

The Board of Architectural Review may permit an additional story based on architectural merit and context.

Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.

Additional height for utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) shall be permitted, based on the following standards:

Appurtenances shall not exceed nine feet in height.

Appurtenances shall be placed to the rear or side of the buildings where possible.

Structures erected to the maximum height allowed by this District shall be abutted by sidewalks no less than 8 feet in width.

Sec 54-306.H: Height District 8

Maximum building height shall not exceed 8 stories.

The Board of Architectural Review may permit an additional story based on architectural merit and context.

Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.

Additional height for utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) shall be permitted, based on the following standards:

Appurtenances shall not exceed nine feet in height.

Appurtenances shall be placed to the rear or side of the buildings where possible.

Structures erected to the maximum height allowed by this District shall be abutted by sidewalks no less than 10 feet in width.

Sec 54-306.I: Height District 4-12

Maximum building height shall not exceed 4 stories. Additional stories, up to a maximum of 12 stories shall be permitted based on meeting specific performance standards as defined in Sec. 54- 201.

Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.

Additional height for utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) shall be permitted, based on the following standards:

Appurtenances shall not exceed nine feet in height.

Appurtenances shall be placed to the rear or side of the buildings where possible.

Structures erected to the maximum height allowed by this District shall be abutted by sidewalks no less than 10 feet in width.

Sec. 54-306 J Height District 3X

In this district, no structure, including appurtenant parts of a structure, except for elevator penthouses, or mechanical penthouses, shall exceed a height equal to three (3) times the least dimension as measured from the center of the right-of-way to the face of the building. No structure fronting on any street shall be lower than the height of thirty (30) feet.

Sec. 54-306 K Height District 85/200

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of two hundred (200) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.
3. All portions of a structure above eighty-five (85) feet including elevator penthouses and mechanical penthouses, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least fifty-five (55) feet from the center of the street right-of-way. All such portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall occupy no more than fifty (50) percent of the building site coverage area.

Sec. 54-306 L Height District 85/125

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of one hundred and twenty-five (125) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.
3. All portions of a structure above eighty-five (85) feet including elevator penthouses and mechanical penthouses, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least fifty-five (55) feet from the center of the street right-of-way. All such portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall occupy no more than seventy-five (75) percent of the building site coverage area.

Sec. 54-306 M Height District 85/30

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of eighty-five (85) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.

Sec. 54-306 N Height District M 100/30

In this district:

1. The minimum height for a structure fronting on a street is thirty (30) feet, and the minimum height on the ground floor of a structure fifteen (15) feet.
2. The maximum height of a structure along north-south oriented streets is four (4) stories. The height along north-south oriented streets shall be maintained from the edge of the right-of-way into the interior of the lot for a distance of one hundred (100) feet, except as provided in part 5 hereof.
3. The maximum height of a structure along east-west oriented streets is five (5) stories. The height along east-west oriented streets shall be maintained from the edge of the right-of-way into the interior of the lot a distance of twenty-five (25) feet, except as provided in part 5 hereof.
4. Within the interior of lots (one hundred (100) feet from the edge of north-south oriented streets and twenty-five (25) from the edge of east-west

oriented streets), the maximum height for a structure is one hundred (100) feet.

5. To enable the incorporation of distinct architectural features and improve pedestrian activity at the street level, the height limits of parts 2 and 3 may be exceed by an additional occupied story within the step-back areas set out in parts 2 and 3 and occupied or unoccupied architectural features along the right-of-way may exceed the height limits of parts 2 and 3 upon findings by the Board of Architectural Review that:
 - a. The sidewalks widths along all streets abutting the project are widened by at least three (3) feet; and
 - b. At least seventy-five (75) percent of the ground floor street frontages is devoted to non-residential use; and
 - c. If applicable, the additional story and its proposed location in the step-back areas prescribed by parts 2 and 3 enhance the architectural approach of the project; and
 - d. If applicable, proposed architectural features along the right-of-way that exceed the height limits of parts 2 and 3 enhance the architectural approach of the project and do not constitute, in the aggregate, more than twenty (20) percent of the square footage of the footprint of the structure at the street level.

Sec. 54-306 O Height District 80/30

In this district:

1. No structure, including appurtenant parts of a structure except for elevator penthouses, or mechanical penthouses, shall exceed a height of eighty (80) feet nor shall any structure fronting on any street be lower than the height of thirty (30) feet.
2. All portions of a structure above the fifty-five (55) foot level shall be set back at least twenty-five (25) feet from all street right-of-way lines.

Sec. 54-306 P Height District 50W

In this district:

1. No structure shall exceed a height of fifty feet (50').
2. All structures shall be set back from the high water mark a minimum of twenty-five feet (25'), except that water-dependent structures shall be allowed to encroach on the twenty-five foot (25') setback.
3. All structures shall be set back from the high water mark of manmade canals a minimum of ten feet (10'), except that water-dependent structures shall be allowed to encroach on the ten foot (10') setback.

Sec. 54-306 Q Height District W

In this district:

1. No structure shall be nearer to the nearest right-of-way lines of the street on which it fronts than a distance equal to the height of the building.
2. The ground coverage of all structures on a lot shall not exceed twenty-five (25) percent of the lot area; "ground coverage" being defined as the sum of the areas of the largest floors in each building.
3. No structure shall be nearer to an interior property line or side street right-of-way line than a distance equal to one-half-the height of the building.

Sec. 54-306 R Height District WP

In this district:

1. No structure shall exceed the height of sixty (60) feet.
2. The ground coverage of all structures on a lot shall not exceed twenty-five (25) percent of the lot area; "ground coverage" being defined as the sum of the areas of the largest floor in each building. Ground coverage shall not include paved parking areas or staging areas.

Section 2. The Old City Height District Map is replaced by the Old City Height District Map, attached to this Ordinance as Exhibit "A", and incorporated herein by reference.

Section 3. This Ordinance shall become effective upon ratification.

2017
of

Ratified in City Council this ____ day of
_____ in the Year of Our Lord,
and in the ____th Year of the Independence
the United States of America

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Vanessa Turner Maybank
Clerk of Council

Max Height (stories)	Min / Max Height (ft)	Max Attainable Height	Min Permitted Height	
2.5	Res: 10ft / 12ft	35ft	N/A	35
3 (3.5)	Res: 10ft / 12ft	45ft (14, 12, 12, 7)	32ft (12, 10, 10)	50/25, 55/30
	Ground Floor Retail: 12ft / 14ft			
2.5/3.5	Res: 10ft / 12ft	50ft (14, 12, 12, 12)	44ft (14, 10, 10, 10)	50/25
	Ground Floor Retail: 12ft / 14ft			
3.5 (4)	Res: 10ft / 12ft	56ft (20, 14, 12, 10')	40ft (16, 10, 10, 4)	50/25, 55/30
	Off: 10ft / 14ft			
	Ground Floor Retail: 16ft / 20ft			
4	Res: 10ft / 12ft	62ft (20, 14, 14, 14)	50ft (16, 10, 10, 10, 4)	50/25, 55/30, 80/30
	Off: 12ft / 14ft			
	Ground Floor Retail: 16ft / 20ft			
5	Res: 10ft / 12ft	76ft (20, 14, 14, 14, 14)	56ft (16, 10, 10, 10, 10)	55/30
	Off: 12ft / 14ft			
	Ground Floor Retail: 16ft / 20ft			
6	Res: 10ft / 12ft	90ft (20, 14 x5)	66ft (16, 10 x5)	55/30
	Off: 12ft / 14ft			
	Ground Floor Retail: 16ft / 20ft			
8	Res: 10ft / 12ft	118ft (20, 14 x7)	86ft (16, 10 x7)	80/30, 100/30, 100/30 urban,
	Off: 12ft / 14ft			
	Ground Floor Retail: 16ft / 20ft			
5/12	Res: 10ft / 12ft	174ft (20, 14 x11)	126ft (16, 10 x11)	55/30
	Off: 12ft / 14ft			
	Ground Floor Retail: 16ft / 20ft			

The 5/12 needs to be changed to 4/12 and the feet adjusted accordingly.



CITY OF CHARLESTON

CITY OF CHARLESTON, DEPARTMENT OF PLANNING PRESERVATION AND SUSTAINABILITY

75 CALHOUN STREET, THIRD FLOOR, CHARLESTON, SOUTH CAROLINA 29401 843-724-3781 FAX: 843-724-3772 WWW.CHARLESTON-SC.GOV

